

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.,)
)
Plaintiff,) Case No. 2:22-cv-293-JRG
)
vs.) JURY TRIAL DEMANDED
)
SAMSUNG ELECTRONICS CO, LTD;)
SAMSUNG ELECTRONICS AMERICA,) (Lead Case)
INC.; SAMSUNG SEMICONDUCTOR)
INC.,)
)
Defendants.)

NETLIST, INC.,)
)
Plaintiff,) Case No. 2:22-cv-294-JRG
)
vs.) JURY TRIAL DEMANDED
)
MICRON TECHNOLOGY, INC.;)
MICRON SEMICONDUCTOR)
PRODUCTS, INC.)
)
Defendants.)

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST INC.'S SUR-
REPLY IN OPPOSITION TO SAMSUNG'S MOTION FOR PARTIAL SUMMARY
JUDGMENT REGARDING ITS ABSOLUTE INTERVENING RIGHTS DEFENSE**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. ("Netlist") in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist's Sur-Reply in Opposition to Samsung's Motion for Partial Summary Judgment Regarding its Absolute Intervening Rights Defense. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 6** is a true and correct copy of Netlist's Preliminary Infringement Contentions, dated November 17, 2022.

3. Attached as **Exhibit 7** is a true and correct copy of a letter from Daniel A. Tishman, dated July 28, 2023.

4. Attached as **Exhibit 8** is a true and correct copy of email correspondence between counsel for Netlist and Samsung.

5. Attached as **Exhibit 9** is a true and correct excerpted copy of the deposition transcript of Andrew Wolfe, Ph.D in IPR2022-00615, dated January 4, 2023.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on July 31, 2023, in Los Angeles, California.

By /s/ *Jason G. Sheasby*

Jason G. Sheasby